

## **EXHIBIT 9**

**TO PLAINTIFFS' MEMORANDUM IN  
SUPPORT OF THEIR MOTION FOR  
INJUNCTIVE RELIEF, INCLUDING ASSET  
FREEZE, ACCOUNTING AND  
REPATRIATION OF ASSETS**

Bank of America Legal Order Processing  
RE: Reference # D101915000113  
Court Case number: 13-2578-STA  
Court or Issuer: PIETRANGELO COOK PLC  
Court Case Name: INDICO SYSTEM RESOURCES, INC.

**AFFIDAVIT OF BANK OF AMERICA BANK OFFICER AND/OR CUSTODIAN OF RECORDS**

Before me, the undersigned authority, personally appeared,  
Bernice Richards-Schietke

Who, being duly sworn by me, deposes and says as follows:

1.) **Authority.** I, Bernice Richards-Schietke, am a duly authorized bank officer and/or custodian of the records of Bank of America N.A with authority to execute this affidavit and certify to the authenticity and accuracy of the records produced with this affidavit.

2.) **Records.** The records produced herewith by Bank of America, N.A. are original documents or are true copies of records of a regularly conducted banking activity that:

- a.) Were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters;
- b.) Were made and kept in the course of regularly conducted banking activity by Bank of America, N.A. personnel or by persons acting under their control; and
- c.) Were made and kept by the regularly conducted activity of Bank of America N.A. as a regular practice, on or about the time of the act, condition, or event recorded.

**Additional Comments:**

- Signature card for account ending in 1096 in the name of Indico System Resources, Inc. Primary Account.
- Signature card for account ending in 1106 in the name of Indico System Resources, Inc. Secondary Account.
- Credits/debits for account ending in 1096 in the name of Indico System Resources, Inc. Primary Account.
- Bank statements for account ending in 1096 from January 1, 2015 to September 30, 2015 in the name of Indico System Resources, Inc. Primary Account.
- Bank statements for account ending in 1106 from January 1, 2015 to September 30, 2015 in the name of Indico System Resources, Inc. Secondary Account.

3.) **Production.** (Select One)

  X   The records produced herewith (together with any banking records produced by Bank of America N.A. previously in response to the subject request, order, or subpoena) constitute a complete production of bank records responsive to the subject request order or subpoena (or a complete production under the terms of a subject request, order, subpoena as subsequently limited by the issuer).

**OR**

       A thorough search has been conducted and no records could be located that are responsive to the subject request, order, or subpoena.

4.) I declare under penalty of perjury that the foregoing is true and correct.

Date: 11/13/15 Signature: 

The above named Bank of America N.A. bank officer and/or custodian of records is known to me (or satisfactorily proven) to be the person who subscribed the within document and acknowledged to me that he/she executed the same for the purposes stated there in.

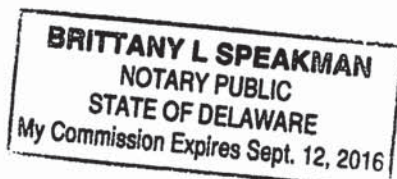
X Signer is personally known to me.

\_\_\_\_\_ Signer has produced the following identification: \_\_\_\_\_

Sworn to and subscribed before me this 13 day of NOV 2015. In witness thereof I have set my hand and official seal.

*Brittany L Speakman*

Signature of Notary Public in and for  
State of DE  
City/County of Newark/New Castle  
My Commission Expires \_\_\_\_\_



**Bus Platinum Privileges**

P.O. Box 15284  
Wilmington, DE 19850

**Customer service information**

1.888.BUSINESS (1.888.287.4637)

bankofamerica.com

Bank of America, N.A.  
P.O. Box 25118  
Tampa, FL 33622-5118

INDICO SYSTEM RESOURCES, INC.  
SECONDARY ACCOUNT  
8926 FOREST HILLS BLVD  
DALLAS, TX 75218-4001

## Your Business Fundamentals Checking Bus Platinum Privileges

for September 1, 2015 to September 30, 2015

Account number: 4880 3913 1106

**INDICO SYSTEM RESOURCES, INC. SECONDARY ACCOUNT**

### Account summary

Beginning balance on September 1, 2015	\$98.46
Deposits and other credits	0.00
Withdrawals and other debits	-50.00
Checks	-0.00
Service fees	-16.00
<b>Ending balance on September 30, 2015</b>	<b>\$32.46</b>

# of deposits/credits: 0

# of withdrawals/debits: 2

# of items-previous cycle<sup>1</sup>: 0

# of days in cycle: 30

Average ledger balance: \$44.12

<sup>1</sup>Includes checks paid, deposited items & other debits

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**intuit.** Payroll



AFFIDAVIT

Case No. : 13-2578-STA

Donna Gray-Carson , certifies and declares as follows:

1. I am over the age of 18 years and not a party to this action.
2. My business address is 7610 West Washington Street, Indianapolis, Indiana 46231.
3. I am a custodian of records for JPMorgan Chase Bank, N.A. in the National Subpoena Processing Department located in Indianapolis, Indiana.
4. Based on my knowledge of JPMorgan Chase Bank, N.A. 's business records practices and procedures, the enclosed records are a true and correct copy of the original documents kept by JPMorgan Chase Bank, N.A. in the ordinary course of business.
5. Based on my knowledge of JPMorgan Chase Bank, N.A. 's business records practices and procedures, the records were made at or near the time of the occurrence of the matters set forth in the records by, or from information transmitted by, a person with knowledge of those matters.
6. It is the regular practice of JPMorgan Chase Bank, N.A. to make such a record of transactions in the ordinary course of business.

I declare under penalty of perjury, under the laws of the State of Indiana, that the foregoing is true and correct.

Dated: \_\_\_\_\_

4/13/15

By: \_\_\_\_\_

*[Signature]*

Donna Gray-Carson  
Document Review Specialist  
NATIONAL SUBPOENA PROCESSING

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

13<sup>th</sup>

April

2015



Notary Public

*Brandi Henderson*

2/23/18

Commission Expires

THIS ITEM IS PART OF A LEGAL STATEMENT RECONSTRUCTION

GROUP ID G19Mar15-1203

Sequence number Posting date Amount



June 01, 2012 through June 29, 2012

Primary Account: 000003064030419

**SERVICE CHARGE SUMMARY** (continued)

SERVICE FEE CALCULATION	AMOUNT
Service Fee	\$0.00
Service Fee Credit	\$0.00
<b>Net Service Fee</b>	<b>\$0.00</b>
Excessive Transaction Fees (Above 200)	\$0.00
<b>Total Service Fees</b>	<b>\$0.00</b>

**CHASE ANALYSIS BUSINESS CHECKING**

INDICO SYSTEM RESOURCES, INC

Account Number: 000000451388487

**CHECKING SUMMARY**

	INSTANCES	AMOUNT
Beginning Balance		\$10,700.39
Deposits and Additions	6	443,500.00
Electronic Withdrawals	5	- 425,000.00
Fees and Other Withdrawals	4	- 29,099.79
<b>Ending Balance</b>	<b>15</b>	<b>\$100.60</b>

**DEPOSITS AND ADDITIONS**

DATE	DESCRIPTION	AMOUNT
06/04	Fed Wire Credit Via: Bmo Harris Bank N.A./071000288 B/O: Rosenthal Collins Group Llc Chicago, IL 60606 Ref: Chase Nyc/Ctr/Bnf=Indico System Resources, Inc Dallas TX 75218-4001/Ac-000000004513 Rfb=O/B Bmo Harris B Bbi=/Time/12:35 Imad: 0604G1Qg750C001837 Tm: 2558309156F1	\$100,000.00
06/04	Transfer From Chk Xxxxxx0419	40,000.00
06/11	Fed Wire Credit Via: Bmo Harris Bank N.A./071000288 B/O: Rosenthal Collins Group Llc Chicago, IL 60606 Ref: Chase Nyc/Ctr/Bnf=Indico System Resources, Inc Dallas TX 75218-4001/Ac-000000004513 Rfb=O/B Bmo Harris B Bbi=/Time/15:58 Imad: 0611G1Qg750C003116 Tm: 4607409163F1	200,000.00
06/14	Fed Wire Credit Via: Bmo Harris Bank N.A./071000288 B/O: Rosenthal Collins Group Llc Chicago, IL 60606 Ref: Chase Nyc/Ctr/Bnf=Indico System Resources, Inc Dallas TX 75218-4001/Ac-000000004513 Rfb=O/B Bmo Harris B Bbi=/Time/12:15 Imad: 0614G1Qg750C002162 Tm: 2797509166F1	100,000.00
06/25	Transfer From Chk Xxxxxx0419	3,400.00
06/25	Transfer From Chk Xxxxxx0419	100.00
<b>Total Deposits and Additions</b>		<b>\$443,500.00</b>

THIS ITEM IS PART OF A LEGAL STATEMENT RECONSTRUCTION  
 GROUP ID G19Mar15-1203  
 Sequence number Posting date Amount



June 01, 2012 through June 29, 2012  
 Primary Account: 000003064030419

### ELECTRONIC WITHDRAWALS

DATE	DESCRIPTION	AMOUNT
06/04	06/04 Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit To Sheku Kondeh 204119 5210 Tm: 1430800156Es	\$40,000.00
06/07	06/07 Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit To Sheku Kondeh 204119 5210 Tm: 0046400159Es	60,000.00
06/12	06/12 Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit To Sheku Kondeh 20411 95210 Tm: 0337800164Es	205,000.00
06/14	06/14 Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit To Sheku Kondeh 204119 5210 Tm: 1510400166Es	40,000.00
06/18	06/18 Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit To Sheku Kondeh 204119 5210 Tm: 1911500170Es	80,000.00
Total Electronic Withdrawals		\$425,000.00

### FEES AND OTHER WITHDRAWALS

DATE	DESCRIPTION	AMOUNT
06/14	06/14 Withdrawal	\$9,000.00
06/15	Account Analysis Settlement Charge	99.79
06/26	Book Transfer Debit A/C: Commerzbank Ag Germany Germany Ben:/400884202300 Sheku Kondeh Ref:/Bnl/Category 1 Same Day Value Further Credit Due To Sheku Kondeh 20 41195210 Tm: 0093300177Es	12,000.00
06/26	Fedwire Debit Via: TD Bank, NA/031201360 A/C: Bristol 5 Group Llc Ref:/Bnl/Category 1 Same Day Cash Value Imad: 0625B1Qgc03C001167 Tm: 0102900177Es	8,000.00
Total Fees & Other Withdrawals		\$28,099.79

Your service charges, fees and earnings credit have been calculated through account analysis.

### DAILY ENDING BALANCE

DATE	AMOUNT
06/04	\$110,700.39
06/07	50,700.39
06/11	250,700.39
06/12	45,700.39
06/14	96,700.39
06/15	96,600.60
06/18	16,600.60
06/25	20,100.60
06/26	100.60



CERTIFICATE OF AUTHENTICITY OF RECORDS

I, Lesa Moore (Print Name), the undersigned, do hereby certify  
that I am the Custodian of Records (Title or Position) for  
BBVA Compass of 701 South 32<sup>nd</sup> Street Birmingham AL (Address)  
(the "Company") and that I have reviewed the records attached hereto.

In compliance with Rule 45 of the Federal Rules of Civil Procedure, I certify as follows:

1. I have authority to certify the subject records, I have knowledge of and a business duty to record or transmit these matters on behalf of the Company;
2. The copies, consisting of 114 pages (or other format, please list: \_\_\_\_\_) are true and correct copies and comply with the request for records described in the *subpoena duces tecum* regarding *Sledge v. Watts et al.*, U.S. District Court of Western Tennessee, Case No. 13-2578-STA;
3. The attached records constitute a certified record of regularly conducted activity of this Company and were prepared by me or someone acting under my control and under the control of the Company, in the ordinary course of business;
4. My signature on this Certification constitutes an understanding of the intention of the parties hereto to use this record as evidence provided the records herewith are made available for inspection in advance of any such offer into evidence.

Further Affiant sayeth not.

Lesa Moore

Signature

STATE OF Alabama }  
COUNTY OF Jefferson } ss:

The foregoing Certification was subscribed and sworn to before me by  
Lesa Moore on this 27<sup>th</sup> day of April, 2015.

NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: Feb 15, 2016  
BONDED THRU NOTARY PUBLIC UNDERWRITERS

Shirley D. Wall  
Notary Public

My Commission Expires: \_\_\_\_\_



Page 2 of 3  
 Primary Account: 6714288707  
 Beginning January 1, 2015 - Ending January 31, 2015

**BBVA** Compass

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## CLEARCHOICE FOR BUSINESS

Account Number: 6714288707 - INDICO SYSTEM RESOURCES, INC

### Activity Summary

Beginning Balance on 1/1/15	\$3,148.05
Deposits/Credits (0)	+ \$0.00
Withdrawals/Debits (5)	- \$1,225.12
Ending Balance on 1/31/15	<b>\$1,922.93</b>

### Transaction History

Date *	Check/ Serial #	Description	Deposits/ Credits	Withdrawals/ Debits	End of Day Balance
1/2		DEBIT FOR TIME WARNER ONLINE PMT CO REF- CKF965227117POS		\$37.12	\$3,110.93
1/14		ONLINE OR MOBILE WIRE TRANSFER REF 20150114F2QCZ60C001949 BNF Indico System Reso		\$1,000.00	\$2,110.93
1/15		DEC MONTHLY SERVICE CHARGE		\$15.00	\$2,095.93
1/16		DEBIT FOR METRO PCS ONLINE PMT CO REF- CKF965227117POS		\$50.00	\$2,045.93
1/27	905056	CHECK CLEARED		\$123.00	\$1,922.93
Ending Balance on 1/31					<b>\$1,922.93</b>
<b>Totals</b>			<b>\$0.00</b>	<b>\$1,225.12</b>	

Please note, certain fees and charges posted to your account may relate to services and/or activity from the prior statement cycle.

\* The Date provided is the business day that the transaction is processed.

### Summary of Checks

*Checks listed are also displayed in the preceding Transaction History*

Date	Check #	Amount	Date	Check #	Amount	Date	Check #	Amount
1/27	905056	\$123.00						

\* Indicates break in check sequence